

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

**ONE PARCEL, CONSISTING OF)
APPROXIMATELY EIGHT ACRES,)
MORE OR LESS, OF REAL)
PROPERTY AND RESIDENCE)
LOCATED AT 447 CONWAY ROAD,)
DECATUR, ALABAMA, WITH ALL)
IMPROVEMENTS, APPURTENANCES,))
AND ATTACHMENTS THERETO,)**

Defendant.)

Civil Action Number
5:02-cv-0840-UWC

**MEMORANDUM OPINION ADOPTING FINDINGS
AND RECOMMENDATION OF MAGISTRATE JUDGE**

Following the Magistrate Judge's Findings and Recommendation, the Court conducted additional proceedings on the "innocent owner" defense.

As a result of these proceedings, this Court, like the magistrate judge, is persuaded that under Alabama law, Claimant Julia Clark and her former spouse could not modify the terms of their divorce decree without the approval of the judge who signed the decree. Their failure to do so effectively means that all that Tollie Clark conveyed to Julia Clark by the August 8, 2001, quitclaim deed was his interest in

forfeitable property – *i.e.*, nothing.

Thus, the objections of Julia Clark to the Magistrate’ Findings and Recommendation are due to be overruled; and the Findings and Recommendation should be approved and adopted by the Court.

It will be done by separate order.

A handwritten signature in black ink, appearing to read "U.W. Clemon", written over a horizontal line.

U.W. Clemon
United States District Judge